

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL J. SCALZI,

Plaintiff,

v.

CITY OF NORTH LAS VEGAS,

Defendant.

Case No. 2:08-cv-01399-MMD-VCF


ORDER

The Court previously found that Defendant is entitled to an award of costs under Rule 54 of the Federal Rules of Civil Procedure as the prevailing party even though each party prevailed on claims asserted against them. The Court ordered Defendant to submit a revised Bill of Costs to identify allowable costs relating to its defense of Plaintiff's claim. The remaining issue for the Court is the costs that should be allowed. Defendant submitted its Bill of Costs Related to Defense of Plaintiff's Claims Only (dkt. no. 113) and an Errata to Bill of Costs (dkt. no. 116). Plaintiff filed objections to both. (Dkt. nos. 115 & 117.) In its response to Plaintiff's objections (dkt. no. 118), Defendant acknowledges that some costs identified in its Errata to Bill of Costs are not allowable under Local Rule 54 and 28 U.S.C. § 1920, but contends that these additional costs should be taxable under 28 U.S.S. § 2000e-5(k). However, the Court's August 13, 2013, Order awarded allowable costs under Rule 54. Accordingly, costs that are not taxable under Rule 54, Local Rule 54 and section 1920 are not awarded.

1 The Court finds that the following costs are taxable and are awarded to
2 Defendant: (1) \$350.00 in Clerk's filing fee; (2) \$27.00 in copying charges;¹ and (3)
3 \$2,910.00 in transcription charges. It is therefore ordered that Defendant be awarded
4 \$3,287.00 in costs.

5 As this Order resolves the remaining issue of costs, the Clerk is ordered to close
6 this case.

7 DATED THIS 24th day of September 2013.

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10 MIRANDA M. DU
11 UNITED STATES DISTRICT JUDGE
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26 _____
27 ¹Defendant does not dispute Plaintiff's contention that taxable copying costs are
28 limited to \$27.00 (based on the number of pages of documents produced (270) times the
cost of copying per page based on the documents attached to the Errata to Bill of Costs
(\$.10)).